Application Number:	P/RES/2021/01690	
Webpage:	https://planning.dorsetcouncil.gov.uk/	
Site address:	Land At E 387470 N 122346 Higher Blandford Road Cann, Dorset	
Proposal:	Erect 55 No. dwellings with associated open space and infrastructure. (Reserved Matters application to determine appearance, landscaping, layout & scale; following the grant of Outline Planning Permission No. APP/N1215/W/19/3227559 (LPA Ref. 2/2018/0602/OUT)).	
Applicant name:	Persimmon Homes	
Case Officer:	Mr Robert Lennis	
Ward Member(s):	Cllr Somper	

1.0 Summary of recommendation:

Subject to the conditions GRANT planning permission.

2.0 Reason for the recommendation:

- The principle of residential development on this site has already been established:
- The proposed details provided relating to layout, scale, appearance and landscape would provide a high quality development in this location;
- Absence of 5 year land supply;
- Para 14 of the National Planning Policy Framework (NPPF) sets out that
 permission should be granted for sustainable development unless specific
 policies in the NPPF indicate otherwise; or any adverse impacts of doing so
 would significantly and demonstrably outweigh the benefits, when assessed
 against the policies in this Framework taken as a whole.

3.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of development was established when the Planning Inspectorate allowed the planning appeal of planning application ref: 2/2018/0602/OUT.
Layout	The proposed layout is very similar to the illustrative layout submitted with the outline

	application. This preserves a view corridor along the western part of the site and provides a relatively loose development which would transition well from and urban to rural context on this edge of settlement location.
Scale	The scale of buildings would be primarily two- storey with ancillary buildings being single storey. This is appropriate in the context of the site.
Appearance	The proposed design and materials are considered to be good and includes strong window design with brick arches and lintels and sill that extend slightly beyond the aperture, porches, bay windows, and brick detailing on flank elevations to add visual interest.
Landscaping	The proposed hard and soft landscaping is of a high standard. Structure trees, and street tree will help the proposal integrate into the landscape in the future along with the low level domestic foliage proposed to enhance the street scene.
Heritage	There would be no harm to heritage.
Highway, road network and traffic safety	No objections have been by the Highway Authority.
Flood risk	The Lead Local Flood Authority were previously satisfied that an adequate drainage scheme could be designed for this site and development.
Affordable housing	As per the legal agreement signed at the outline stage the proposed development will provide 30% affordable housing.

4.0 Description of Site

The proposed development site is in the countryside but shares a boundary on three sides with Shaftsbury's designated development boundary. It is approximately 3.22ha (7.95 acres). To the north is Salisbury Road (A30), to the west is Higher Blandford Road (B3081) running the length of the western boundary, to the east is general industrial land where A&R Tiles and George Cole Combine and Plant Machinery storage warehouse depot (service yard) are located immediately adjacent to the site, to the south is agricultural land. Slightly further to the east of the site, is an area of land allocated for employment use.

The lower parts of the eastern, southern and western boundaries of the site have managed field hedgerows, which are of varying value. There are a variety of existing trees within the wide highway verge immediately to the north (along Salisbury Road)

and a number of trees planted within the wide grass verge immediately to the west (along Higher Blandford Road).

The topography falls gently from the north to the south. There are two existing field gates providing access to the site, but importantly there is no public right of way across the site.

5.0 Description of Development

In line with the approved outline application, this application proposes 55 units, comprising 51 dwellinghouses and a block 4 flats. It is proposed that 38 dwellings are to be open market with being 17 affordable dwellings (70:30 mix of shared ownership and rented units).

The design has taken account of the constraints of the site and the layout has been greatly influenced by the details considered at outline stage.

All proposed buildings are to be two storeys in height. The soft landscaping scheme is fully detailed as part of the application. There will be one means of access from the already approved point on the eastern side of the site.

6.0 Relevant Planning History

Planning application ref: 2/2018/0602 - Develop land by the erection of up to 55 No. dwellings, form vehicular access, open space and associated infrastructure. (Outline application to determine access). Refused 29/01/2019.

- Appeal Ref: APP/N1215/W/19/3227559 – Allowed 13/12/2019, in particular, Inspector S Edwards concluded that "...when the appeal scheme is assessed against the policies in the Framework taken as a whole, the adverse impacts of the proposal, to which I ascribe limited to moderate weight, would not significant and demonstrably outweigh the benefits derived from the proposal, to which I afford substantial weight."

It is also worth noting that the Inspector thought the illustrative layout "...would to some extent mitigate the effect of the proposal in respect of the views from the urban area towards the AONB..."

See addendum for full appeal decision letter.

7.0 Constraints

The impact of the reserved matters details on the setting of the Cranbourne Chase AONB is considered to be a constraint.

8.0 Consultations

(all consultee responses can be viewed in full on the website)

Shaftesbury Town Council

- Objects to the proposed development.
- They consider the reserved matters application differs significantly from the approved outline scheme. It is light on detail and that there are considerable design and landscaping issues which are not suitable for the setting and for the importance which the community attaches to this rural land at the gateway to our town. There is no mention in this planning application of the Shaftesbury Neighbourhood Plan, which was voted in at referendum on May 6th 2021, eight days before this application was submitted. It has subsequently been made by Dorset Council. There are key policies in the Neighbourhood Plan (NP) to which the applicant needs to respond and with which this application does not comply.

DC - Transport Development Management

- no objections subject to conditions previously imposed on the outline application.

DC - Flood Risk Manager - Highways

- comments awaited.

DC - Planning Obligations

- no objections.

DC Environmental Health Officer

- no objections subject to conditions.

DC Housing Enabling Officer (Affordable Housing)

- no objection; It is preferable for affordable homes to be tenure neutral and of the same high quality as market housing to ensure a balanced community. The Design Note from the developer states that the "Affordable housing is sited in several areas across the development so that the housing tenures are fully integrated." Currently a significant number of the affordable properties are situated together along Salisbury Road, however, order to be a more integrated scheme, it would be preferable if the affordable homes could be further spread and not have the majority situated in what could be viewed as the most unfavourable area of the site alongside a main road.

DC Landscape Architect

- awaiting written response.

DC Tree Officer Majors

- awaiting written response.

DC Urban Design

- awaiting written response.

Dorset & Wiltshire Fire and Rescue Services

- no objections.

Wessex Water

- no objection.

Cranbourne Chase Area of Outstanding Natural Beauty

- Concerns raised regarding the quality of the application, but no objection subject to conditions relating to lighting.

9.0 Representations received

There were eight representations received raising concerns or objections relating to:

- Appearance
- Layout
- Scale, lack of variation
- Landscape harm, generally
- Impact on the setting of the Cranbourne Chase AONB
- Loss of agricultural land
- Traffic along Higher Blandford Road (B3081)
- Access
- Highway standards and safety
- Connectivity and shops
- Noise and pollution
- Lack of infrastructure relating to local services
- Light pollution in relation to CCAONB
- Monotonous design lacking detail of parapets and chimney stacks
- Lack of local material (greensand stone)
- Design does not conform with the Shaftesbury Neighbourhood Plan
- Fails to adequately address the climate emergency in the overall design
- Surface water drainage and foul drainable systems

10.0 Relevant Policies

Shaftesbury Neighbourhood Plan (SNP)

- Policy SFHE1 relates to the sustainability of new development on its own and cumulatively as well as the extension of the settlement boundary for Shaftesbury.
- Policies SFG12 seeks to ensure development respects Shaftesbury's topography and its position in the landscape. In part, it states "...Development on the edge of the town will be expected to respect the environmental context, including green infrastructure, that draws the rural landscape into the settlement and provides a soft edge to the town...."
- Policy SFG 13 seeks to ensure development respects and enhances the Green Infrastructure network - its green spaces and green corridors - and the contribution this makes to the character of the town, its sustainability and biodiversity, and the general well-being of its residents.
- Policy SFG 14 seeks to protect our dark skies, particularly considering the adjoining Area of Outstanding Natural Beauty and its International Dark Skies Reserve status.

- Policies SFDH 1 to SFDH 7 this suite of policies sets out to:
 - preserve and enhance the character and design of our historic town and the different character areas.
 - encourage high quality design that ensures development complements and contributes positively to Shaftesbury's character and engenders a sense of civic pride and social inclusion.
 - make sure the natural environment is properly considered in the design process.

North Dorset Local Plan Part 1 (LPP1)

- Policy 1 Presumption in favour of Sustainable Development
- Policy 2 Core Spatial Strategy
- Policy 3 Climate Change
- Policy 4 The Natural Environment
- Policy 5 The Historic Environment
- Policy 8 Affordable Housing
- Policy 13 Grey Infrastructure
- Policy 15 Green Infrastructure
- Policy 20 The Countryside
- Policy 23 Parking
- Policy 24 Design
- Policy 25 Amenity

Saved Policies North Dorset District Local Plan 2003

Policy 1.7 – Settlement Boundaries

National Planning Policy Framework

The following sections of the NPPF are considered to be most relevant:

- 1. Introduction
- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 11. Making effective use of land
- 12. Achieving well designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have "regard to" and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

The site is located in a sustainable location, in line with the spatial strategy contained in the local plan. Officers have not identified any specific impacts on person(s) with protected characteristics.

13.0 Climate Implications

The applicant is relying on meeting their statutory obligations set out in Building Regulations. Beyond that the proposal also includes a plan showing re-charge points for all of the dwellings.

14.0 Planning Assessment

As stated above, the principle of development on this site has been established by way of the outline application (planning ref: 2/2018/0602/OUT). Considerations about the suitability and sustainability of this site for development, as noted in STC's comments and several of the representations received, have been addressed and permission to develop allowed by the Planning Inspectorate.

The SNP identifies character zones in order to, amongst other things, preserve and enhance the character and design of the Town. However, this site is not identified within any of those zones. It is adjacent to the settlement boundary which is not influenced by any particular design constraints. Nonetheless there are other parts of the SNP which seek to encourage high quality design to ensure new development complements and contributes positively to Shaftesbury's character etc, and rightly so.

The applicant has worked closely with Officers to address the concerns raised with their proposal. As such, a number of amendments have been received.

The main issues of this proposal are considered to relate to:

- Layout and scale
- Appearance
- Landscaping
- Highway safety
- Flood risk
- Heritage
- Other matters

Layout and scale

Policy SFDH3 relates to the scale, positioning and orientation of buildings. This sets out a number of criteria to consider in terms of layout and scale.

Firstly, development 'will respect the scale of adjoining development'. The proposed development is for two-storey residential builds. This would respect the nearby residential development to the north of the A30 which is primarily residential at a scale of 1 to 2 storeys and to the west of Higher Blandford Road which is largely the same.

The second criteria seeks to allow for views of buildings that are important in the street scene (due to their function or landmark characteristics). As a wholly residential development the key buildings are proposed to be at the junctions of roads. The proposed use of materials and landscaping helps to achieve this notably with the use of green sandstone.

Next, development will 'create a safe and attractive public realm (taking into consideration the microclimates formed and the legibility and surveillance of the main pedestrian routes.)' You will find street trees are being provided within the wider landscape proposals for the site. With regard to safety, there are no objects being raised by the Highway Authority.

The next criteria seek to 'maximise the potential benefits from sunlight and shading to reduce the consumption of energy in heating and cooling new buildings, unless this would significantly harm local character.' Constraints of a site will influence the layout and the way builds relate to the street. Officers are satisfied that the proposed development overall adequately addresses energy consumption.

The last criteria sets out that 'in new areas, seek to create visual interest within a more cohesive character, and consider including some taller buildings in locations where there is very good access to local facilities, provided that this would reinforce and add interest to the area's character and legibility.' In the context of this site and the concerns with views across and beyond the site, it is considered that taller buildings would not be appropriate.

The proposed layout follows closely to the illustrative layout put forward with the outline application. This provides a public open space to the western and southern parts of the site and allows for views out toward CCAONB. There has been some concern raised with regard to landscaping and trees blocking views. However, it is considered that the mix of trees proposed, and quantity, will allow for views out depending on location and time of year as you traverse the open space or travel along the adjacent roads.

The open space required to protect views out therefore creates a long narrow envelopment in which to place housing. The quantity of housing creates a density comparable to adjacent development which allows for a looser slightly more spacious layout. The proposed development is thereby consistent with other development nearby.

In light of STC neighbourhood plan policies, it is considered that the proposed layout would be acceptable.

Appearance

The amended plans show that the external treatment of the houses has evolved and been improved upon. Notably, the introduction of local Greenstone fronted properties in key locations and the use of arched brick, and stone cills and lintels, primary on the front elevations. Other architectural detailing has been incorporated to enhance the visual appearance of the proposal such as brick detailing and false windows on flank elevations.

With regard to materials, the applicant has acknowledged concerns in respect of red roof tiles has agreed to use muted colours. Sample and details of external materials should be agreed as a bespoke condition.

The appearance of buildings in the context of the site is considered to be acceptable.

Landscape

A set of amended plans has also been received relating to landscaping details. These show new trees planted closer to the development line as well as the street to allow views through the public open space out to the CCAONB, and street trees incorporated into the design.

The eastern and south-eastern boundary has been improved to allow for more planting and tree screening.

The selection of trees can mostly be found in appendix J – Shaftesbury Trees of the SNP.

These amendments respond to the comments of your Landscape Officer, and adequately address Policy SFG13, and show a good landscape proposal have regard to the context and constraints of the overall site.

Highway safety

As part of the application process, the applicant held discussions with Planning Officers and the Highway Authority relating to proposed estate road layout and geometry and which included observations arising from the Highway Authority having given due regard to inclusivity and accessibility standards, as so far as was possible in consideration of the information provided.

As a result of these discussions, the applicant submitted revised drawing(s) to which the Highway Authority has no objection, subject to the conditions previously imposed upon the Outline approval by the Planning Inspectorate.

The Highway Authority has confirmed that the proposed estate road layout meets with the requirements of the Council's 'Adopted Highways' Policy which, therefore, would be considered for adoption should an offer to dedicate estate roads as highway maintainable at the public expense be made by the landowner.

Flood risk

Comments are awaited from the Flood Risk Management Team. In light of the previous comments and requested conditions no objections are expected.

Heritage

Heritage Assets

The site is located on the south-eastern extent of Shaftsbury. It is outside of the conservation area and the nearest listed building (Mayo Cottage) is approximately 100m to the south-east of the proposed access to the site. The proposal for 55 houses on a 3.2 ha site equates to approximately 17 dwellings per hectare, which is comparable to other edge of settlement developments.

The dwellings would be set back with an area of open space to the highway. It is considered that the rural setting of Mayo Cottage would be preserved, and that no harm would result.

Other matters

Your Environment Health Officers have noted concerns relating to noise in the submitted acoustic report, and re-use of soil on-site. With regard to noise, the proposed dwellings along the A30 frontage could be exposed to a detrimental level of noise if adequate mitigation is not put in place such as triple glazed window. Similarly, plots 11 and 15 require some form of noise mitigation externally such as acoustic fencing. These matters can be addressed by way of bespoke conditions.

With regard to soil re-use, it is not uncommon to re-use soil within a development site. In this particular case, your EHOs have requested a condition confirm soil sampling, reporting of findings, and actions plans in the event of contamination being found.

Details of external lighting is the subject of a bespoke condition set out in Planning Inspectors decision.

Climate change is being addressed through the provision of electrical vehicle charging points and solar pv infrastructure. It is understood that the market is not yet standardised for these items. This would allow future occupants the ability to choose the product best suited for their needs. These are the subject of two bespoke conditions if conditional planning permission is agreed.

15.0 Summary

Outline planning permission for the construction of up to 55 dwellings with details of access and the provision of 30% affordable housing was established on appeal to the Planning Inspectorate. Therefore, the principle of development is established subject to the details of the reserved matters relating to layout, scale, appearance, and landscape.

There are four reserved matters which make up this application. The applicant, through discussions with Officer's, has amended the details of the original submission to take account of concerns and comments raised particularly with regard to layout, appearance, and landscape. It is now considered that the revised plans before you meet the aims of the Development Plan having due regard to the Shaftesbury Neighbourhood Plan and the context of this site.

Subject to the following conditions (these are in addition to the conditions imposed on the outline permission) grant planning permission.

16.0 Recommendation

Grant planning permission subject to the following conditions:

- The development to which these reserved matters and accompanying details relates shall be begun not later than two years from the date of this permission. Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990 (as amended).
- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Plans -

140-LOC01 Location Plan

140-LP02f Storey Heights Plan

140-LP03f_Boundary Treatment & Materials Plan

140-LP04f Coloured Site Lavout & Hard Landscaping Plan

140-LP05f_Refuse Strategy Plan

140-LP06f POS & Managed Areas Plan

140-LP07c_Pedestrian & Cycle Links

140-LP08c Renewables & Car Charging Plan

Landscaping PERSC23145 11 D-Sheet 1 PERSC23145 11 D-Sheet 2 PERSC23145 11 D-Sheet 3 PERSC23145 11 D-Sheet 4 PERSC23145 11 D-Sheet 5 PERSC23145 Landscape Man and Maintenance A PERSC23145 Landscape Specification A Engineering H1235-401A H1235-402A H1235-403A H1235-404A H1235-405A H1235-406A H1235-414A H1235-415A H1235-416A H1235-422A H1235-431A Housetypes BS-001 - Bin & Cycle Stores CW-001 - Charnwood Plot 51 A CW-C-002 - Charnwood Corner (Type 2) Plots 15 45 A GAR-001- Single Garage A GAR-002 - Double & Twin Garage A GAR-003 - Triple Garage GZ-001 - Grizedale (Semi) Plots 32 33 C GZ-002 - Grizedale (Terrace) A Plot 23-25 HF-CN-001 - 1B & 2B Flats B HF-CN-002 - 1B & 2B Flats B HL-001 - Haldon B Plots 38-39 C KB-001 - Knightsbridge (Type 1) Plot 29 C KB-002 - Knightsbridge (Type 2) Plot 28 A KB-003 - Knightsbridge (Type 3) Plots 03 04 B KB-004 - Knightsbridge (Type 4) Plot 26 A KL-001 - Kielder (Type 1) Plots 01 09 12 55 C KL-002 - Kielder (Type 2) Plot 50 A KL-004 - Kielder (Type 4) Plot 43 49 B KL-005 - Kielder (Type 5) Plots 44 48 A KL-006 - Kielder (Type 6) Plots 06 07 36 37 A MY-001 - Mayfair (Type 1) Plot 42 B MY-001 - Mayfair Corner (Type 2) Plot 22 A MY-002 - Mayfair (Type 2) Plot 27 A MY-003 - Mayfair (Type 3) Plot 52 B MY-004 - Mayfair (Type 4) Plot 46 A

MY-C-001 - Mayfair Corner (Bay) Type 1 Plots 02 10 54 A

MY-C-002 - Mayfair Corner plot 47 A

MY-C-004 - Mayfair Corner (Type 4) Plot 53

RN-001 - Rendlesham (Type 1) Plots 30 31 40 41 C

RN-002 - Rendlesham (Type 2) plot 20 21 B

RN-002 - Rendlesham (Type3) plot 34 35 D

WL-C-001 - Whiteleaf Corner (Type 1) Plots 08 13 14 B

WL-C-002 - Whiteleaf Corner (Type 2) Plot 05 A

3. Notwithstanding the details on any of the approved plans, and prior to commencement of the development hereby approved above damp-proof course level, details and samples of all external facing materials (including, walls, roofs, fenestration detail and man-made boundary features) shall be submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as agreed.

Reason: To ensure a satisfactory visual appearance of the development.

4. The development hereby approved shall not be occupied or utilised until a programme and timetable for the provision of the access, geometric highway layout, turning and parking areas shown on drawing Number 140-LP05f have been submitted to and agreed, in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the agreed programme and timetable. The completed turning and parking areas shall be kept free from obstruction and made available as set out in the agreed programme and timetable for the purposes specified.

Reason: To ensure the proper and appropriate development of the site.

5. All hard and soft landscape works shall be carried out and managed in accordance with the Landscape Plans and Documents listed in condition 2. Hard landscaping works associated with each dwelling shall be completed prior to the occupation and/or use of that dwelling. The soft landscaping shall be carried out in the first planting season following the first occupation and/or use of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting any trees, shrubs, or other plants should die or are removed or become seriously damaged or defective in the opinion of the local planning authority, then the applicant or their successors in title shall replace said tree, shrub, or plant with another of the same species and size as originally planted and in the same approximate location in the next planting season, unless the local planning authority gives its written consent to any variation considered to be reasonable and necessary.

Reason: To ensure a satisfactory visual appearance of the development.

6. Notwithstanding the details on the approved plans, and prior to the first occupation of and/or use any dwelling hereby approved, details of the noise mitigation strategies summarised in section 14.4 and detailed in chapters 9 and 10 of submitted Environmental Noise Impact (acoustic report) SA - 6777 - 3 shall be submitted to and

agreed in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the agreed details.

Reason: To ensure noise levels are not detrimental to the enjoyment of these dwellings as per NPPF paragraph 180.

7. Prior to commencement of development an earthworks management plan for the site shall be submitted to and agreed in writing by the Local Planning Authority. This should include details of re-use of excavated soil on-site, a soil sampling procedure, verification requirements and reporting of findings including any unexpected contaminated soil and location. Thereafter the development shall be carried-out in accordance with the agreed MMP.

Reason: in the interest of health and safety.

8. Prior to the first occupation and or use of any dwelling hereby approved, full details of the Electrical Vehicle Charging points, as shown on plan 140-LP08c_Renewables & Car Charging Plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall include samples, location and / or a full specification of the materials to be used externally on the buildings. Only the materials so approved shall be used, in accordance with any terms of such approval and shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority. The Charging Points shall be installed prior to the occupation of each individual dwelling.

Reason: to reduce greenhouse gas emissions by ensuring that adequate provision is made to enable occupiers of the development to charge plug-in and ultra-low emission vehicles in accordance with Policy 3 of the adopted North Dorset Local Plan Part 1.

9. Prior to the first occupation and or use of any dwelling hereby approved, full details of the Solar PV infrastructure, as shown on plan 140-LP08c_Renewables & Car Charging Plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall include samples, location and / or a full specification of the materials to be used externally on the buildings. Only the materials so approved shall be used, in accordance with any terms of such approval and shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority. The Solar PV infrastructure shall be installed prior to the occupation of each individual dwelling.

Reason: to reduce greenhouse gas emissions by ensuring that adequate provision is made to enable occupiers of the development to install alternative methods of generating electricity in accordance with Policy 3 of the adopted North Dorset Local Plan Part 1.